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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 IRA LEE,

10 Plaintiff,

No. CIV S-05-0375 WBS JFM PS

11 vs.

12 SOLANO COUNTY PROBATION  
13 DEPT., et al.,

ORDER

14 Defendants. \_\_\_\_\_  
15 \_\_\_\_\_/

16 This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21).  
17 On March 18, 2005, defendant Gemma Grossi filed a motion to dismiss pursuant to Fed. R. Civ.  
18 P. 12(b)(6). This motion was noticed for hearing on May 19, 2005. On April 25, 2005, plaintiff  
19 filed a request for leave to amend his complaint to include allegations as to defendant Gemma  
20 Grossi. Good cause appearing, defendants will be directed to respond to plaintiff's request  
21 within twenty days. In light of plaintiff's request, the motion to dismiss will be removed from  
22 the court's May 19, 2005 calendar. Once defendants have responded to plaintiff's request to  
23 amend, the motion to dismiss will stand submitted without oral argument. Local Rule 78-230(h).

24 Accordingly, IT IS HEREBY ORDERED that:

25 1. The May 19, 2005 hearing is vacated;

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1                   2. Defendant Grossi's March 18, 2005 motion to dismiss is held in abeyance; and

2                   3. Within twenty days from the date of this order, defendants shall respond to  
3 plaintiff's April 25, 2005 request for leave to amend his complaint.

4 DATED: May 5, 2005.

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7 UNITED STATES MAGISTRATE JUDGE  
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